

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SONYA JENEEN CHAVEZ,

Plaintiff,

v.

Civ. No. 18-625 GBW

NANCY A. BERRYHILL,
Deputy Commissioner for Operations of
the Social Security Administration,¹

Defendant.

ORDER GRANTING MOTION TO PROCEED IN FORMA PAUPERIS

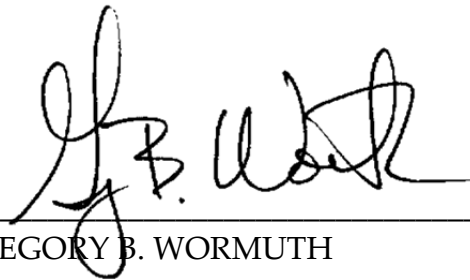
Plaintiff, who seeks judicial review of the denial of her application for social security benefits, filed a Motion for Leave to Proceed in forma pauperis (IFP). *Doc. 2*. “[I]n order to succeed on a motion to proceed IFP, the movant must show a financial inability to pay the required filing fees, as well as the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised in the action.” *Lister v. Dep’t of Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005) (citation omitted). 28 U.S.C. § 1915(a)(1) applies to all plaintiffs seeking IFP status. *Id.*; *see also Griffin v. Zavaras*, 336 F. App’x 846, 849 n.2 (10th Cir. 2009) (unpublished).

¹ Nancy A. Berryhill returned to her position of record, Deputy Commissioner for Operations, on March 22, 2018. She remains the properly named Defendant in this action pending the nomination and confirmation of a Commissioner.

Plaintiff's Complaint asserts a nonfrivolous argument on the law, and the motion evidences her inability to pay the filing fee. As such, the Court finds the motion well-taken and hereby GRANTS it.

IT IS HEREBY ORDERED that this action is authorized to proceed without the prepayment of the filing fee, costs, or security therefore, pursuant to 28 U.S.C. § 1915.

IT IS FURTHER ORDERED that the United States Marshal shall serve a copy of the Summons and Complaint on the United States Attorney, the Attorney General, and the Office of the General Counsel, in accordance with Fed. R. Civ. P. 4(c)(3).

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line.

GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE